



Legislative Update

March 12, 1999

Vol. 9, No. 9

Supplemental Budget Awaits House Approval

The 1999 supplemental budget, which was approved by the Senate in January, awaits adoption by the House Appropriations Committee and the full House of Representatives. This week Governor Locke requested prompt approval of the 1999 spending plan to avoid funding shortfalls for state programs. Several Department of Health budget requests are being considered as part of the supplemental budget, along with a range of issues from school construction to county fairs.

The Governor announced his supplemental budget proposal in December 1998. That proposal added \$51 million in additional spending, including funding for school construction, county fairs, flood relief, and local fire suppression and future wildfire costs. Included in his proposal were items to increase funding for the Department's temporary worker housing program by \$153,000 and increased funding of \$99,000 for Department investigations of Emergency Medical Service providers. The Governor's proposal also contained adjustments to the Department's budget for lower caseload and costs for the HIV early intervention program and lower anticipated revenue to the Emergency Medical & Trauma Care Services Account.

The Senate Ways and Means Committee approved its version of the supplemental budget, Substitute Senate Bill 5181, on January 27, and it was passed by the full Senate on that same day. The Senate budget did not include the \$153,000 that the Department had requested to fund its efforts on temporary worker housing. The bill was referred to the House Appropriations Committee, which has its own supplemental budget bill, HB 1187. The House has not yet taken action to approve a supplemental budget. As we go to press, a hearing has been scheduled on the spending plan before the House Appropriations Committee on Thursday evening.

On Tuesday, Governor Locke announced he was writing to the leaders of the House Appropriations and Senate Ways and Means Committees stressing the importance of the supplemental budget and the need for its speedy approval. Without action on the spending plan, several state agencies and programs will face funding shortages. For example, the Emergency Management Division may face layoffs without passage of the budget. While urging approval of the supplemental budget, the Governor pledged to transfer necessary general funds to meet the state's obligations.

In This Issue:

Supplemental Budget
Awaits House
Approval

Page 1-2

Legislative Internet
Links

Page 2

Legislative Cut Off
Dates

Page 2

State Board of Health
Directs Changes In
Draft Rule For
Reporting HIV

Page 3

Meeting Schedule

Page 3

Bill Watch

Pages 4-14

Subscription Form

Back Page

Supplemental Budget Awaits House Approval

Con't from Page 1

The 1999 supplemental budget is just one of the budget items to be considered this session. The largest fiscal task facing the legislature is putting together a bud-

get for the 1999-2001 biennium. That task will intensify with the release of a new state revenue forecast on March 18. §

LEGISLATIVE INTERNET LINKS

Legislative information can be accessed via the internet. The following are a few links that may be of interest:

Legislative Update Newsletter

http://www.doh.wa.gov/publicat/98_legup.htm

Legislative Information

WWW - <http://www.leg.wa.gov>

Gopher - <gopher.leg.wa.gov>

FTP - <ftp.leg.wa.gov>

Email - ftpmail@leg.wa.gov

Washington State House of Representatives

<http://www.leg.wa.gov/www/house/members/housepg.htm>

Washington State Senate

<http://www.leg.wa.gov/www/senate.htm>

Washington State Governor's Home Page

<http://www.wa.gov/governor>

TVW indicates that TVW tentatively plans to televise either LIVE or on a tape delayed basis. For additional information on TVW scheduling or availability, please call TVW at (360) 586-5555, or visit the TVW web site at: www.tvw.org

Legislative Cut Off Dates

March 2, 1999: Policy cutoff for the House.

March 3, 1999: Policy cutoff for the Senate.

March 8, 1999: Fiscal cutoff for both houses.

March 17, 1999, 5:00 p.m.: Final consideration for the house of origin.

April 2, 1999: Policy cutoff for the opposite house.

April 5, 1999: Fiscal cutoff for the opposite house.

April 16, 1999, 5:00 p.m.: Final consideration for the opposite house.

April 25, 1999: Sine Die. §

State Board Of Health Directs Changes In Draft Rule For Reporting HIV

On March 10, the State Board of Health directed the Department of Health to modify the draft regulation for tracking cases of HIV. The current draft would have established a state-wide HIV named surveillance system. The changes are based on a recommendation made by the King County Board of Health. The two major changes concern where names are reported and how long they are kept:

- Providers would report HIV cases by name to local health departments. The names would be converted to a code which would be passed on to the state Department of Health. Local health departments would destroy the names within 90 days after completing a case report. An evaluation of this time interval will be conducted in the first year of rule implementation to determine if 90 days is adequate time for local communicable disease control activities.
- Laboratories would report HIV cases by name to local health departments or the Department, depending on which option would support the fastest case follow-up by health officials. Follow-up would occur at the local level and names would be destroyed within 90 days after completion of case reports.

The Department would conduct case follow-up for local health departments that do not have the capacity to do this work.

The King County recommendations were based on a report from a local group known as “Common Ground.” The group included HIV organizations and King County public health officials.

Judith Billings, chair of the Governor’s Advisory Committee on HIV/AIDS and a member of Common Ground, told the Board the recommendations are an effort to protect people’s confidentiality and meet the goals of stopping the spread of the disease and getting people into care.

The Board reaffirmed its intention that before people receive HIV tests, they will be informed of the difference between confidential and anonymous testing. Confidential testing would allow names of people who test positive to be reported to public health officials. Anonymous testing would not allow names to be reported. The Board also reaffirmed the current language in the draft regulation requiring local health officers to make anonymous testing reasonably available.

The Department will now develop a new rule proposal. The State Board of Health will set a public hearing for the rule later this spring or in early summer. §

Meeting Schedule

Senate Health and Long Term Care Committee

Senate Hearing Room 4

Monday 1:30 - 3:30

Wednesday 1:30 - 3:30

Thursday 1:30 - 3:30

House Health Care Committee

House Hearing Room C

Tuesday 1:30 - 3:30

Thursday 8:00 - 10:00

Saturday 1:30 - 3:30 §

March 12, 1999

Jennifer Bush

Bill watch this week includes only those bills that have been reported out of committee by the policy or fiscal committee cut off date.

Data and Confidentiality

HB 1372/SB 5240: Birth Defects Surveillance

Repeals the Handicapped Children's Registry statute. **Senate Health & Long Term Care**, *Public Hearing 3-18-99, 1:30 p.m., Senate Hearing Room A/House Health Care*.

HB 2015: Year 2000 Date Change Liability

Provides that the state is severally, not jointly, liable for damages arising from the year 2000 problem. Immunizes the state from the first \$100 of liability per claimant arising from the year 2000 problem. **House Rules**.

SSB 5201: Vital Statistic Record Fees

The fees that the Department of Health and local registrars charge for copies of records and for searches of records are raised by \$2. Of that amount, the local registrar must submit to the State Treasurer for each copy or search \$1. The additional \$1 submitted to the State Treasurer must then be transferred to the Department of Health. These provisions relating to the establishment of fees expire on July 1, 2001. Authorizes the State Board of Health to set fees for copying and searching services after July 1, 2001, according to its rulemaking authority and criteria established in this act. **Senate Rules**.

SSB 5482: Medical Research Records

An exception is stated to the Driver's Privacy Protection Act for information currently available under the public disclosure laws. An exception to the federal law is required to protect the public health, safety, and welfare. Information accessible under public disclosure may be released to health research organizations recognized by an institutional review board. **Senate Passed 3rd**.

SSB 5793: Sexually Transmitted Diseases

Increases the protection of confidential information related to sexually transmitted diseases and HIV. **Senate Rules**.

SSB 6035: Year 2000 Citizen's Protection

Declares that a person may be held harmless to any claim or action brought against the person if he or she establishes that the default, failure to pay, breach, omission, or other violation that is the basis of the claim against him or her was caused, in whole or in part, by a year 2000 (Y2K) failure associated with an electronic computing device, and, if it were not for the Y2K failure, the person would have been able to satisfy the obligations that are the basis of the claim. **Senate Rules**.

Disease Prevention and Control

HB 1080: Infectious Disease Testing

Provides infectious disease testing at no cost to good Samaritans for infectious diseases after rendering emergency assistance that has brought them into contact with a bodily fluid. **Senate Health & Long Term Care**.

SHB 1371/SSB 5199: Tuberculosis Control

Revises provisions relating to reporting, treatment, and payment for treatment of tuberculosis. Repeals obsolete sections of tuberculosis statutes. **Senate Health & Long-Term Care**, *Public Hearing, 3-18-99, 1:30 p.m., Senate Hearing Room 4 /House Health Care*, *Public Hearing 3-18-99, 8:30 a.m., House Hearing Room C*.

SSB 5172: HIV Testing of Offenders

Requires that local health jurisdictions conduct, or cause to be conducted, pretest counseling, HIV testing, and posttest counseling of all persons who are offenders, or arrested or detained persons, and who have subjected a law enforcement officer, fire fighter, health care provider, health care facility staff person, Department of Corrections staff person, jail staff person, or other category of employee, as determined by the board, to substantial exposure to their bodily fluids. Persons tested under this provision shall also be tested for hepatitis B and hepatitis C. Provides that any employee who has experienced a substantial exposure to the bodily fluids of an offender, arrested person, or detained person may seek the consent of the person to whose bodily fluids he or she was exposed for HIV and hepatitis testing. If the person consents to be tested, he or she shall consent to disclosure of the results of the test by the public health official to the person exposed by the fluids and as otherwise required by law. Declares that, if the person does not consent to testing or is released prior to a request for consent, the officer or identified employee may petition the court to

order the local health department to conduct or cause to be conducted pretest counseling, testing for HIV, hepatitis B, and hepatitis C, and posttest counseling for the person to whose bodily fluids they were substantially exposed, within 48 hours after exposure. **Senate Rules.**

Environmental Health

SHB 1054/SB 5125: Pesticide Registration Commission

Appropriations made to Washington State University may now expressly be used for evaluations, studies, or investigations approved by the Commission for such Integrated Pest Management (IPM) and pesticide resistance management programs. An official action may now be taken by the Commission by a majority vote of its quorum, rather than a majority vote of the voting members. This bill is a part of the Washington State University's Safe Food Initiative. **Senate Agriculture & Rural Economic Development/House Agriculture & Ecology, *Public Hearing, 3-18-99, 8:00 a.m., House Hearing Room A.***

SHB 1163/SB 5106: Illegal Drug Manufacture

Finds that the contamination of properties used for illegal drug manufacturing poses a threat to public health. The toxic chemicals left behind by the illegal drug manufacturing must be cleaned up to prevent harm to subsequent occupants of the properties. Intends that properties be decontaminated in a manner that is efficient, prompt, and that makes them safe to reoccupy. **Senate Environmental Quality & Water Resources/Senate Passed 3rd.**

HB 1164/SB 5105: Public Water System Definition

Revises the definition of public water system to include systems providing water through constructed conveyances, in conformance with federal law. **Senate Environmental Quality & Water Resources/Senate Passed 3rd.**

HB 1310: PUD Authority

Revises provisions relating to the authority of a public utility district to furnish water to persons outside of the district and the county where the district is located, and to establish local utility districts for water or sewer facilities outside of a district and the county where it is located. **Senate State & Local Government, *Public Hearing, 3-18-99, 1:30 p.m., Senate Hearing Room 3.***

HB 1432: Dairy Commission

Authorizes the Dairy Commission to participate in federal and state regulatory activities and expend funds when such activities affect the production, manufacture, distribution, sale, or use of dairy products, and educate the dairy industry on such matters. **House Passed 3rd.**

SHB 1517: Municipal Water Supply

Declares "municipal water supply purposes" means the use of water to satisfy the needs of a city, a town, a public utility district, a water-sewer district, or a Group A public water system. **House Rules.**

HB 1642: Surface Water Permits & Rights

Allows water permit holders to change the point of water diversion for an undeveloped portion of an existing water right permit from an existing authorized diversion point, downstream to an existing intake structure, if there is no change in ownership of the permit or the original purpose and place of use of the water. **Senate Environmental Quality & Water Resources.**

2SHB 1957: Water Right Transfer/Change

Allows applications for change, transfer or amendments of ground water rights to have higher priority than applications for new water rights. **House Rules.**

SHB 2079: Salmon Recovery

Authorizes a plan for salmon recovery in Washington State. **House Rules.**

SHB 2095: Commercial Fertilizer

Revises provisions relating to registration fees, stop sale and use, seizure, and disposal of commercial fertilizer. **House 2nd Reading.**

2SHB 2098: Wastewater Treatment Systems

Regulates designers of on-site wastewater treatment systems by creation of a state program. **House 2nd Reading.**

SHB 2099: Water Right Relinquishment

Allows an exemption from relinquishment of a water right for non-use resulting from the operation or pendency of legal proceedings. **House Passed 3rd.**

SSB 5059: Radioactive Waste Transport

Authorizes counties to assess impact fees to cover the costs associated with the transport of radioactive waste over their roadways. **Senate Rules.**

SSB 5082: Biomedical Waste Inactivation

Declares, beginning January 1, 2001, medical wastes with a biosafety hazard class of 3 or 4 that are infectious to humans and generated at microbiological laboratories must be treated to accomplish microbial inactivation before being transported from the facility. **Senate Rules.**

SSB 5107: Puget Sound Action Team

Revises the membership of the Puget Sound action team and the interagency advisory council. **Senate Rules.**

2SSB 5289: Water Resource Management.

Instream flows for areas with listed species are adopted. Conservation programs and measurement of diversion/withdrawal is mandatory in areas with listed fish species, urban growth areas, and public water systems. Reclaimed water is considered a potential new source of water and replacement for non-potable water, where feasible, in areas with listed species and urban growth areas. A system of incremental certification is established for municipal water systems. Schedules are established for incorporating new guidelines into shoreline master programs. Water law and water resource allocation and management are addressed by Attorney General reports, a Legislative Water Resource Management Task Force, and a water resource management system for agriculture. Allows applications for transfers or changes regarding water uses in a basin independently of the order of processing or priority placed upon processing applications for new withdrawals within the same basin, and independently of the order of processing or priority placed upon any applications regarding water use in other basins. **Senate Rules.**

E SSB 5433: Biomedical Waste Disposal

Requires the inclusion of a program for the safe handling, transport, and disposal of biomedical waste. The program shall specify how biomedical waste will be segregated from other solid waste. **House Agriculture & Ecology.**

2SSB 5595: Salmon Recovery Funding Board

Establishes the Salmon Recovery Funding Board, which will be responsible for making grants and loans for salmon recovery projects. **Senate Rules.**

SSB 5597: Airborne/Waterborne Pathogens

Requires that airborne and waterborne pathogen risks be reduced by application of occupational health standards for airborne and waterborne pathogens that are comparable to those developed to protect workers from

bloodborne pathogens. The Department of Labor & Industries, in consultation with DOH, shall develop and adopt occupational health standards for biological agents that protect workers from airborne and waterborne pathogens. **Senate Rules.**

SB 5682: Mobile Home Park Septic System

Authorizes local governments to require that septic systems be removed from mobile home parks in areas designated as having a critical recharging effect for an aquifer that is the primary drinking water source for a city of over 150,000 population. **Senate Rules.**

SSB 5800: Commercial Fertilizer

Revises provisions relating to unlawful commercial fertilizers. **Senate Rules.**

SSB 5803: Dairy Nutrient Management

Directs the Department of Ecology to publish a guide to all registered dairy farms in the state regarding dairy nutrient management. Creates a Dairy Nutrient Management Task Force, which will make recommendations on dairy nutrient management. **Senate 2nd Reading.**

2SSB 5821: On-Site Wastewater Treatment

Establishes a state-wide licensing program for persons who design on-site wastewater treatment systems. **Senate Rules.**

SSB 5866: Fertilizer Registration

Eliminates component registration of fertilizer products. **Senate Rules.**

Families and Children

SHB 1362: Friendly Parent Presumption

Revises laws relating to residential provisions of permanent parenting plans. **House 2nd Reading.**

2SHB 1546: In-Home Care Services

Revises provisions related to long-term care of adults. **House Rules.**

SHB 1620: Vulnerable Adult Protection

Provides DSHS and law enforcement agencies with the authority to investigate complaints of abandonment, abuse, financial exploitation, or neglect of vulnerable adults. Provides protective services and legal remedies to protect them. **House Rules.**

SHB 1650: Oral Medications at Schools

Expands the list of health professionals who may request to have school employees administer oral medications to students. **Senate Health & Long-Term Care**, *Public Hearing, 3-18-99, 1:30 p.m., Senate Hearing Room 4.*

SHB 1733: Residential Day Care Location

Prohibits any city, town, or county from restricting or prohibiting the use of a residential dwelling, located in an area zoned for residential or commercial use, as a family day-care provider's facility serving 12 or fewer children. **House Rules.**

2SHB 1837/2SSB 5766: Long-Term Care Ombudsman

Requires the Long-Term Care Ombudsman Program to increase the number of trained volunteer long-term care ombudsmen available to residents living in these settings. Provides that a local or a state long-term care ombudsman, including a trained volunteer long-term care ombudsman, shall have the duties and authority set forth in the Federal Older Americans Act for local or state ombudsmen. Appropriates funds from the general fund to the Dept. of Community, Trade, and Economic Development for distribution state-wide to the regional offices of the Long-Term Care Ombudsman Program. **House Rules/Senate Rules.**

2SHB 1855: Breastfeeding

Declares that the act of breastfeeding or expressing breast milk is not indecent exposure. Requires that, except where reasonable safety or security considerations require other options, an employer must make reasonable efforts to provide a convenient, sanitary, safe, private, and comfortable room or other location, in close proximity to the work area, other than a restroom, where the employee can express her milk in privacy. Authorizes an employer to use the designation "baby-friendly" on its promotional materials if the employer has an approved workplace breastfeeding policy addressing at least the following: (1) Flexible work scheduling, including scheduling breaks and permitting work patterns that provide time for expression of breast milk; (2) convenient, sanitary, safe, and private locations allowing privacy for breastfeeding or expressing breast milk; (3) a convenient clean and safe water source with facilities for washing hands and rinsing breast-pumping equipment; and (4) a convenient hygienic refrigerator in the workplace for the mother's breast milk. **House Rules.**

SB 5141: Newborn Screening Service Fee

Allows DOH to collect an additional fee for supplying services under the state's infant screening program. **Senate 2nd Reading.**

SSB 5277: Higher Education Student Child Care

Allows the Higher Education Coordinating Board to award, on a competitive basis, child care grants to state institutions of higher education to encourage programs to address the need for high quality, accessible, and affordable child care for students at higher education institutions. Provides that the higher education coordinating board and the state board for community and technical colleges shall administer the programs. **House Higher Education.**

SB 5293: Family Leave

Revises provisions relating to family leave. Allows persons working 10 hours weekly to apply for family and medical leave. Requires employers of 50 or more persons to comply with this act. **Senate Rules.**

E SSB 5295: Breastfeeding

Declares the act of breastfeeding or expressing breast milk is not indecent exposure. Allows that, except where reasonable safety or security considerations require other options, an employer must make reasonable efforts to provide a convenient, sanitary, safe, private, and comfortable room or other location, in close proximity to the work area, other than a restroom, where the employee can express her milk in privacy. **House Commerce & Labor.**

SSB 5430: Women's Health Advisory Committee

The Women's Health Advisory Committee is created. The committee is composed of ten members to be appointed by the Governor. The committee is instructed to advise the Department of Health in the development and coordination of policies and programs relating to women's health. \$10,000 is appropriated for the committee for each of the next two years. **Senate Rules.**

SSB 5465: Family Planning Services

Authorizes DSHS to, upon receipt of approval from the federal Health Care Financing Administration, to implement a waiver under section 1115 of the federal Social Security Act to provide family planning services to persons with family incomes at or below 200% of the federal poverty level. **Senate Rules.**

SSB 5480: Drug-Affected Infants

Requires a woman's primary health care provider to identify and screen pregnant and lactating women according to the criteria developed by DOH, convey to the infant's primary health care provider screening findings that would suggest the need for testing of the infant, or conduct the testing, inform the birth mother of an infant who tests positive that she can have a tubal ligation at no cost to her within six months following the birth, and inform the birth mother of an infant who tests positive of appropriate drug treatment and birth control services. Requires the health care provider of a newborn infant to test any infant the provider reasonably believes is drug-affected and notify DSHS of the name and address of the parent or parents of a drug-affected infant. **Senate Rules.**

SSB 5547: School Medical Assistance

Allows school district employees, not licensed as nurses or nursing assistants, to file a written letter of refusal to administer oral medications or refusal to perform clean, intermittent bladder catheterization of students. This may not serve as grounds for employee dismissal or termination of employment. **Senate Rules.**

SSB 5561: Vulnerable Adult Protection

Provides DSHS and law enforcement agencies with the authority to investigate complaints of abandonment, abuse, financial exploitation, or neglect of vulnerable adults. Provides protective services and legal remedies to protect them. **Senate 2nd Reading.**

SSB 5590: Oral Medications at Schools

Expands the list of health professionals who may request to have school employees administer oral medications to students. Declares that a school employee who administers oral medication to a student and is in substantial compliance with the prescription of the student's licensed health professional who is prescribing within the scope of the professional's prescriptive authority or the written instructions provided with the medication, then the employee, the employee's school district or school of employment, and the members of the governing board and chief administrator shall not be liable in any criminal action or for civil damages as a result of the administration of the medication. **Senate Rules.**

SB 5772: Domestic Violence Victims Records

Strengthens the confidentiality of records for victims of domestic violence or sexual assault. **Senate 2nd Reading.**

SSB 5828: Gift of Life Award

The Washington Gift of Life award to recognize the special kindness of those who donate their organs is created. **Senate 2nd Reading.**

SSB 5864: Long-Term Care Residents

Allows a health maintenance organization to return an individual to his or her nursing care facility. **Senate 2nd Reading.**

E SSB 6020: Social Security Numbers

Delays implementation of the requirement to record social security numbers on license applications to assist in child support enforcement. **Senate Passed 3rd.**

Fiscal

HB 1165/SB 5182: Capital Budget

Makes appropriations and authorizes expenditures for capital improvements. **House Capital Budget/Senate Ways & Means.**

HB 1167/SB 5183: Capital Budget/ Supplemental

Makes supplemental appropriations and authorizes expenditures for capital improvements. **House Capital Budget/Senate Ways & Means.**

HB 1186/SB 5180: Operating Budget

Makes appropriations and authorizes expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1999, and ending June 30, 2001. **House Appropriations/Senate Ways & Means.**

HB 1187: Operating Budget/Supplemental

Makes supplemental appropriations for the 1997-99 biennium. **House Appropriations.**

SSB 5181 Operating Budget/Supplemental

Makes supplemental appropriations for the 1997-99 biennium. **House Appropriations.**

SB 5250: Women's Health Programs

Authorizes the secretary to accept such grants, services, and property from the federal government, foundations, organizations, medical schools, and other entities as are available for the purpose of designing and implementing programs that specifically address the health-related needs of women. **Senate 2nd Reading.**

Injury Prevention

SHB 1181: Domestic Violence Perpetrator

Requires if a domestic violence perpetrator or the victim has a minor child, treatment must specifically include education regarding the effects of domestic violence on children, such as the emotional impacts of domestic violence on children and the long-term consequences that exposure to incidents of domestic violence may have on children, and parenting skills to help the perpetrator control the events or behavior that lead to incidents of domestic violence. The court may, as part of any term of community supervision, order the offender to participate in an approved domestic violence perpetrator program. **Senate Judiciary.**

HB 1196: Concealed Pistol Permits

Allows concealed weapons permits issued in other states and territories to remain valid within Washington. **House 2nd Reading.**

HB 1352: Concealed Pistol Licenses

Declares “good cause” for a temporary emergency license includes, but is not limited to, when the applicant has obtained a valid no-contact order, anti-harassment order, or protection order restraining another person from molesting or disturbing the applicant or excluding another person from going onto the grounds of or entering the home, workplace, or school of the applicant and has sworn by affidavit that it is not unlawful for the applicant to possess a firearm. **Senate Judiciary.**

SHB 1391: Concealed Pistol Permits

Declares a license from another jurisdiction is valid only if the license is currently valid in that jurisdiction; and the Department of Licensing, after consultation with the Washington State Patrol, has adopted a rule identifying the jurisdiction as one that has restrictions that are at least as restrictive as those in Washington and recognizes Washington State concealed pistol licenses as valid in that state or will recognize Washington licenses upon the department’s identification of the jurisdiction. **House Rules.**

HB 1555/SSB 5573: Criminal History Records

Declares criminal justice agencies may furnish certain criminal records to other agencies. This provision of information is not considered a dissemination of criminal records. **House Passed 3rd/Senate Rules.**

HB 1757: Inmate DNA Testing

Requires that juveniles and adults who are convicted of violent or sexual offenses submit blood samples for DNA testing. Intends that all health care providers assist interested parents in obtaining blood samples for DNA testing for safekeeping by the parent. This will enable parents to better assist law enforcement in finding and identifying a child in the unfortunate event of a child’s disappearance or abduction, and in identifying children who may be victims in accidents or natural disasters. **Senate Human Services and Corrections.**

HB 2046: Brain Injury Trust Fund

Imposes a \$100 fine on persons who are convicted of certain crimes. The fines collected will be deposited in the Brain Injury Trust Fund, for the purpose of providing services to persons disabled by traumatic brain injuries. **House Appropriations.**

SSB 5094: Personal Flotation Devices

Requires that a child 12 years old and under, while aboard a vessel under 19 feet in length on the waters of this state, must wear a U. S. Coast Guard approved personal flotation device while the vessel is underway, with limited exceptions. **House Natural Resources.**

SSB 5554: Community/Technical College Board Duties

Authorizes community and technical colleges boards of trustees to adopt rules regarding weapons on district-owned or maintained property. **Senate Rules.**

SB 5570: Vehicular Assault

Declares a person guilty of vehicular assault if he operates or drives any vehicle with disregard for the safety of others, and this conduct causes serious bodily injury to another. **Senate 2nd Reading.**

SB 5824: Children on Motorcycles

Enhances safety for children transported on motorcycles or a motor-driven cycle. **Senate Transportation.**

Insurance

E SSB 5111: Genetic Information/Health Insurance

Declares a health carrier may not deny or cancel health plan coverage, or vary the premiums, terms, or conditions for health plan coverage, for an individual or a family member of an individual, on the basis of genetic information, or because the individual or family member

of an individual has requested or received genetic services. **House Health Care.**

SSB 5112: Mastectomies/Health Insurance

Requires every health carrier and every state purchased health care plan that provides coverage for mastectomies to permit the attending provider, in consultation with the patient, to make decisions on the length of inpatient stay after a mastectomy. These decisions must be based on accepted medical practice. **House Health Care.**

SSB 5349: Cranial Hair Insurance

Requires insurance coverage for cranial hair prostheses for alopecia areata. **Senate Rules.**

SB 5355: Medicare Replacement Policies

Requires issuer of Medicare supplement insurance policies to cover both Medicare hospital and physician services without evidence of insurability, for people who are eligible because of age, disability, or end-stage renal disease, if the Medicare supplement policy replaces a similar policy or certificate. Insurers may set rates only on a community-rated basis, and may develop no more than two rating pools. **House Health Care.**

SSB 5416: Children's Health Insurance

Creates the Children's Health Insurance Program to provide health care to children who are eligible for health care coverage under Title XXI of the federal Social Security Act. **Senate Passed 3rd.**

SB 5445: Mandated Benefit Bill Review

Gives discretion to the chair of an appropriate committee of the Legislature to determine if it is in the public interest to review any mandated benefit bill that has been referred to the committee. **Senate 2nd Reading.**

E SSB 5512: Contraceptive Insurance Coverage

Attempts to reduce the number of unintended pregnancies and ensure access to contraceptive services in health plans that cover prescription drugs and outpatient health services. Provides an exemption from the bill for those who object to contraceptives for reason of conscience or religion. **House Health Care.**

SSB 5587: Patient Bill of Rights

Declares health plan patients have: sufficient and timely access to clinically and culturally appropriate health care services to maintain and improve health; adequate choice among qualified health care professionals; are assured that health care decisions are made by appropriate medi-

cal personnel based upon sound medical standards; improved access to information regarding their health plans; access to a quick and impartial process for appealing denials of health care coverage; are protected from unnecessary invasions of health care privacy; are assured that personal health care information will be used only as necessary to obtain and pay for health care or to improve the quality of care; and are protected from unfair and deceptive practices. **Senate Rules.**

SSB 5588: Health Carrier Advertising

Prohibits a health carrier from engaging in unfair or deceptive acts or practices, such as placing advertisements that are false, inaccurate, or misleading. **Senate 2nd Reading.**

SSB 5607: Retired/Disabled Health Insurance

Requires a county, municipality, or other political subdivision that has a health insurance plan for its employees to permit retired and disabled employees and their dependents to continue participation in the plan, subject to certain exceptions. **Senate Passed 3rd.**

SSB 5812: Health Care Claim Payment

Requires medical insurers to pay health care claims promptly. **Senate 2nd Reading.**

SSB 5813: Health Plan Medical Director

Requires third-party payors to designate a licensed medical director for its coverage decisions. **Senate Rules.**

SSB 5848: Basic Health Plan Coverage

Intends that the Basic Health Plan administrator develop alternative purchasing strategies to ensure access to basic health plan enrollees in all areas of the state, with an emphasis on rural and underserved areas. **Senate Passed 3rd.**

Professional/Facilities Licensing

SHB 1113/SSB 5149: Occupational Therapy

Declares that no person may practice or represent himself or herself as an occupational therapy practitioner without first having a valid license to do so. Declares that treatment by an occupational therapy practitioner of such a medical case may take place only upon the referral of a physician, osteopathic physician, podiatric physician and surgeon, naturopath, chiropractor, physician assistant, psychologist, or advanced registered nurse practitioner licensed to practice in this state. **Senate Health & Long-Term Care/Senate 2nd Reading.**

HB 1216/SB 5200: Secretary of Health Authority

Deletes the provision terminating the Secretary of Health's authority for rulemaking activities related to administrative procedure on March 1, 199. **Senate Health and Long-Term Care**, *Public Hearing, 3-18-99, 1:30 p.m., Senate Hearing Room A/House Health Care, Public Hearing 3-18-99, 8:30 a.m., House Hearing Room C.*

HB 1734: Licensed Psychologist

Provides that a person who holds a license under ch. 18.83 RCW is subject to uniform disciplinary act, ch. 18.130 RCW, at all times the license is being maintained. **Senate Health and Long-Term Care.**

SHB 1218: Nurse Delegation of Tasks

Authorizes RNs to delegate nursing care tasks using their professional nursing judgment and standards of practice to registered or certified nursing assistants in community-based care settings. Provides authority to the Nursing Commission to develop protocols for implementing all nurse delegation through rulemaking. Allows RNs, on a case by case basis, to delegate tasks to nursing assistants in community-based care settings prior to the nursing assistant completing the nurse delegation core training. The RN is required to provide all necessary one-on-one training specific to that task and consumer and would assure that the nursing assistant received the core delegation training within the first 60 days of the delegation process. Lack of completion of core training in the first 60 days of the delegation process will result in immediately rescinding the delegation process. No extensions would be permitted. **House 2nd Reading.**

SHB 1251/SSB 5415: Boards, Commissions, and Programs

Allows the Secretary of Health to designate health care assistants and other health care providers to serve on ad hoc committees appointed by the Secretary to study specified topics. Removes the specific authority of the Secretary to appoint dietitians and nutritionists to serve on such committees. Eliminates the Health Professions Advisory Committee. **House 2nd Reading/Senate Rules.**

HB 1699: Dentist Continuing Education

Directs the Dental Quality Commission to establish continuing education requirements for dentists. **House Passed 3rd.**

HB 1711: Hospital Licensing Information

Declares that information received by DOH through filed reports or hospital inspections may be disclosed. Excep-

tions are licensing inspections or complaint investigations, which may be disclosed no sooner than 3 business days after the hospital has received the resulting assessment report. Information regarding administrative action against the licensee may be disclosed after the hospital has received the documents initiating the administrative action. Provides that DOH, the Joint Commission on Accreditation of Health Care Organizations, and any other accrediting organization may review and audit the records of a quality improvement or peer review committee in connection with their inspection and review of hospitals. The information obtained will not be subject to the discovery process, and confidentiality shall be respected as required. Each hospital will produce and make accessible to DOH the appropriate records and otherwise facilitate the review and audit. **House Passed 3rd.**

SHB 1838: Impaired Dentist Account

Requires DOH to collect a small surcharge on dental professional licenses to establish the Impaired Dentist Account, for the voluntary treatment and rehabilitation of impaired dentists. **Senate Health & Long-Term Care.**

SHB 1862: Health Professionals Licenses

Allows the disciplining authority to order surrender of a health care professional's license to practice, after a finding or hearing that a license holder or applicant has committed unprofessional conduct or is unable to practice with reasonable skill and safety due to a physical or mental condition. **House Rules.**

HB 1863: Part-Time Health Commissions

Provides for compensation to part-time health commissions. **House Passed 3rd.**

SHB 1864: Surgical Technologists

Authorizes the registration of surgical technologists. **House Passed 3rd.**

SHB 1992: Epinephrine Administration

DOH in cooperation with the House Health Care Committee is required to review the use of epinephrine for anaphylaxis by EMTs and determine the number of incidents of anaphylaxis statewide, the training costs associated with establishing specialized training for EMTs to carry and administer epinephrine, and an assessment of the potential risks associated with the use of epinephrine. DOH is allowed to establish a pilot program to determine the effectiveness of training EMTs to carry and administer epinephrine to persons under the age of 30.

DOH is allowed to establish a volunteer advisory committee to assist with the development and review of the pilot program. **House Passed 3rd.**

SSB 5050: Intractable Pain Treatment.

Allows health professionals who have taken reasonable efforts to eliminate or alleviate pain to prescribe Schedule II-IV drugs for the treatment of intractable pain. Does not address treatment of conditions other than intractable pain with controlled substances included in Schedules II through V. Provides that the licensing entity for health professionals licensed in this state to prescribe controlled substances, shall not take action against the health professional's license, if the health professional follows the accepted standard of care for treatment of intractable pain with controlled substances and the licensed health professional obtains informed consent. Declares that prescription of controlled substances included in Schedules II through V for intractable pain by a health professional licensed in this state to prescribe controlled substances is not a criminal offense. **Senate Rules 2nd Reading.**

SB 5114: Hospital Annual Inspections

Provides an exemption from annual inspections for hospitals accredited by the American Osteopathic Association similar to that offered to hospitals accredited by the Joint Committee on Accreditation of Health Organizations. **House Health Care, Public Hearing, 3-18-99, 8:30 a.m., House Hearing Room C.**

SSB 5149: Occupational Therapy

Occupational therapists and occupational therapy assistants are considered occupational therapy practitioners. Physicians, osteopathic physicians, podiatrists, surgeons, naturopaths, chiropractors, physician assistants, clinical psychologists, and advanced registered nurse practitioners can refer patients to occupational therapy practitioners. **Senate 2nd Reading.**

SB 5262: Sleep Monitoring

Declares the scope of practice for respiratory care practitioners does not prohibit any person from performing sleep monitoring tasks under the supervision or direction of a licensed health care provider. **House Health Care, Public Hearing, 3-18-99, 8:30 a.m., House Hearing Room C.**

SSB 5312: Health Care Workplace Violations

Requires that, by July 1, 2000, each health care setting shall develop and implement a plan to reasonably pre-

vent and protect employees from violence. Requires that, by July 1, 2001, and on a regular basis thereafter, each health care setting shall provide violence prevention training to all its employees. **Senate Rules.**

SSB 5388: Dental Hygienists/Sealants

Allows a dental hygienist to apply for endorsement by DOH as a school sealant endorsed dental hygienist upon completion of the Washington State sealant guidelines and training. **Senate Rules.**

SSB 5540: Hospital Licensing Information

Allows the release of hospital licensing, complaint, and administrative action information as allowed under public disclosure law. Establishes timeframes for disclosure of licensing inspections, complaint investigations and administrative actions to allow the hospital adequate time to receive materials prior to disclosure. Allows DOH, the Joint Committee on Accreditation of Health Organizations or any other accrediting organization to review and audit peer review records created by a quality improvement committee. Protects peer review records from disclosure during the discovery process. Directs hospitals to produce and make accessible to the department appropriate records to facilitate the review/audit process. **Senate 2nd Reading.**

SSB 5599: Temporary Worker Housing

Requires DOH to adopt joint rules for the licensing, operation, inspection, and enforcement of temporary worker housing. These rules must establish worker protection standards that are as effective, but do not exceed, the standards developed under WISHA. Decisions whether to extend a licensee's permit must be coordinated at the state and local level. **Senate Rules.**

SSB 5604: Health Facility Worker Identification

Requires all persons providing health care services directly to patients at a health care facility to wear identification badges. **Senate Rules.**

SB 5648: Lodging Businesses

Provides consistency in definitions regarding businesses furnishing lodging; defines a hotel as a facility that furnishes three or more rooms for guest accommodation. **Senate 2nd Reading.**

SSB 5657: Veterinary Medical Facilities

Allows animal care and control agencies and nonprofit humane societies that employ veterinarians may own and operate veterinary medical facilities. **Senate Rules.**

SSB 5669: Conversion Vending/Medical Units

Requires specific rules for the occupants of conversion vending units and medical units to protect the occupants from fire and other dangers. **Senate Passed 3rd.**

SB 5702: Physician's Assistants

Revises physician assistant licensing and practice requirements. **House Health Care.**

SB 5739: Death Certificates

Allows physician's assistants or advanced registered nurses as persons to be presented certificates of death. **Senate 2nd Reading.**

SSB 5805: Nurse Practitioners Prescriptive Authority

Completes prescriptive authority for advanced registered nurse practitioners. **Senate Passed 3rd.**

SB 5920: Midwives/Women's Health Care

Includes midwives in the definition of health care practitioners that provide women's health care services. **Senate Rules.**

Regulatory Reform

2SHB 1893: Permit Issuance

Finds that environmental permit issuance can be streamlined by requiring local jurisdictions to coordinate their permit processes with those of the state government. **House Rules.**

SSB 5148: Permit Assistance Center

The Permit Assistance Center is re-authorized and the sunset provisions are repealed. The center's reporting requirements are changed from annual to periodic. The requirements focus on making recommendations for streamlining and coordinating environmental permitting as well as on documenting the center's performance. The timing of negotiating for coordinated permitting services is modified. Cost recovery is authorized in which agencies may seek from the permit applicant the reimbursement of costs incurred in environmental review and permit processing. **House Agriculture and Ecology.**

State Government

SHB 1990: State Employee Background Check

Provides for criminal history background checks for potential state employees and contractors with potential unsupervised involvement with children or individuals with physical disabilities. **House Passed 3rd**

SSB 6003: Liquor Control Board

Creates the Washington State Department of Liquor Control. Reorganizes the Liquor Control Board. **Senate 2nd Reading.**

SSB 5066: Legislative Reporting Requirements

Establishes a procedure in which a state agency that has a legislatively mandated requirement to report to the Legislature or legislative committees regarding a specific matter and the agency either fails to report to the Legislature by the specified time or provides a report that is insufficiently responsive to the legislation requiring the report, the Legislature, by concurrent resolution, shall impose a \$100,000 penalty. **Senate 2nd Reading.**

SSB 5363: Civil Service Reform

Directs the Personnel Resources Board to conduct a comprehensive review of all rules governing the classification, allocation, and reallocation of positions within the classified service. Goals are include developing a simplified classification system that will substantially reduce the number of job classifications in the classified service, developing a classification system to permit state agencies to respond flexibly to changing technologies, economic and social conditions, and the needs of its citizens, and to enhance mobility and career advancement opportunities, while limiting the number of managers in any state agency to 10%. Authorizes any department, agency, or institution of higher education to purchase services provided by employees in classified service under this chapter by contracting with individuals, non-profit organizations, businesses, or other entities, provided this does not lessen wages. Requires agencies that contract out to assist displaced workers. Allows for collective bargaining reform without granting any employee the right to strike or refuse to perform his or her official duties. **House State Government.**

SB 5915: State Agency Reports

Various statutes are amended or repealed to eliminate reports to the Legislature that are no longer wanted or considered necessary. **Senate 2nd Reading.**

Tobacco

SHB 1531/ESB 5485: Tobacco Product Manufacturers

Places the financial burdens imposed by cigarette smoking on tobacco manufacturers rather than the state. Creates a reserve account for tobacco manufacturers not participating in the master tobacco settlement agreement. **House 2nd Reading/House Health Care, Public Hearing, 3-18-99, 8:30 a.m., House Hearing Room C.**

SB 5881: Youth Access to Tobacco

Regulates youth access to tobacco products. Repeals the state's preemption of local tobacco control regulations. Requires cigarette's to be sold in packages of no smaller than twenty cigarettes. Prohibits tobacco manufacturers and wholesalers from paying fines for any retailer. **Senate Rules.**

HJM 4003: Tobacco Settlement

Requests amending the federal Medicaid statute to prohibit federal recoupment of state tobacco settlement recoveries. **Filed with Secretary of State.**

SSB 5359: Tobacco Litigation Monies

Directs that funds received by the state as a result of the settlement of the state's legal action against tobacco product manufacturers, exclusive of costs and attorneys' fees, shall be deposited in the Tobacco Settlement Account. Authorizes the state treasurer to transfer a total of \$100,000,000 from the tobacco settlement account, to the tobacco prevention and control account, upon authorization of the Director of Financial Management. The director shall authorize transfer of the total amount no later than June 30, 2001. **House Appropriations.**

E SSB 5516: Tobacco Prevention & Control

Requires the Tobacco Prevention and Control Program to design and implement public health projects relating to tobacco, including but not limited to enforcing prohibitions on tobacco sales to minors, counter-marketing and advertising efforts relating to tobacco, school and community educational programs discouraging tobacco use, tobacco use cessation programs, and research regarding tobacco-related illnesses. **House Health Care.**

SB 5897: Export Cigarette Sales

Requires that purchasers of cigarettes be informed of adverse health consequences and whether the cigarettes were manufactured for consumption within the United States.

Senate Rules.

Welfare Reform

HB 2226: TANF Eligibility for Children

Eliminates eligibility standards retained from the Aid to Dependent Children Program under the TANF program. **House 2nd Reading.**

E SB 5163: WorkFirst Participation

Modifies good cause reasons for failure to participate in WorkFirst program components. **House Children & Family Services.**

SSB 5299: TANF Residency Requirement

Eliminates the requirement for TANF recipients to reside in Washington for a period of one year before receiving TANF benefits equal to other Washingtonians. **Senate Rules.**

ESB 5490: TANF Employment Assessments

Requires DSHS to screen TANF applicants for learning disabilities, in order to customize and make meaningful their individual responsibility plans, refer them to treatment as appropriate, or exempt them from work activity requirements, benefit time limits, or other requirements of Title 74 RCW. **House Children & Family Services.**

SSB 5522: TANF Work Activity

Requirements to assess WorkFirst recipients are placed at the beginning of the recipient's participation in the WorkFirst program. The initial assessment includes screening for barriers to self-sufficiency, including homelessness, drug and alcohol abuse, domestic violence victimization, limited English proficiency and illiteracy. The Individual Responsibility Plan recommends that adult recipients assure that their school-age children attend school, and requires that recipients document immunization of their children. **Senate Rules.**

EDITORIAL STAFF

Patty Hayes, Legislative Director

(360) 236-4048

email: plb0303@dob.wa.gov

Brian Peyton, Editor

Jennifer Bush, Contributor

The ***Legislative Update*** is published weekly by Washington State Department of Health, Office of Legislative & Constituent Relations during the Washington State Legislative Session and provides information and news about legislation pertinent to the health of Washington State citizens.

SUBSCRIPTIONS

Subscriptions to the ***Legislative Update*** are available at no charge. Please use the form provided on the next to the last page of this publication to request your free subscription.

Subscribing To *Legislative Update*

If you would like to subscribe, update your mailing address, or unsubscribe to Legislative Update, please fill out the information below and return this form to the below listed address. You may also email your request to: gkm0303@doh.wa.gov

Name: _____

Organization: _____

Address: _____

City, State, Zip: _____

- ☐ Please add my name to the mailing list
- ☐ Please update my mailing address
- ☐ Please remove my name from this mailing list

Please return this form to:

Department of Health
Legislative & Constituent Relations
P.O. Box 47890
Olympia, WA 98504-7890

Attn: Glenda Moore

Copies of Bills may be obtained from Legislative Bill Room: (360) 786-7573
Leave messages for Legislators on the Legislative Hotline: (800) 562-6000

(360) 586-7424 FAX
(360) 236-4052
Olympia, WA 98504-7890
P.O. Box 47890

Published by the Office of Legislative & Constituent Relations

Legislative Update

